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McCarthy Tétrault

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October 3, 2005
CM# 123081-339536
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34 Total number of pages including cover sheet.

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| Name: | Firm: | Telephone: | Fax: |
|-------------------------|--------------------|--------------|--------------|
| To: U. S. Patent Office | U.S. Patent Office | 571 272-3161 | 571-273-8300 |

| | | |
|------------------------|--------------|--------------|
| From: Robert H. Nakano | Telephone: | Fax: |
| | 416-601-7852 | 416-868-0673 |

United States Patents and Trademarks Office
Customer Service Window, Mail Stop ISSUE FEE
Randolph Building, 401 Dulany Street
Alexandria, Virginia 22314

Re: United States Patent Application No. 09/261,197
Title: CELL STREAM REPLICATING DEVICE
Inventors: McBRIDE, Brian E.
Filing Date: March 3, 1999
Our Ref No: T01215-0002 US (123081-339536)

Certificate of Transmission:

Pursuant to 37 C.F.R. 1.8, I certify that the following correspondence is being transmitted via facsimile transmission to the United States Patent and Trademark Office at telephone number (571-273-8300) on October 3, 2005.

Signature:

Name:

Edward H. Fan

Date: October 3, 2005

TDO-RED #8248194 v. 1

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PTO/SB/21 (08-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

36


| | |
|------------------------|--------------------------------|
| Application Number | 09/621,197 |
| Filing Date | March 3, 1999 |
| First Named Inventor | McBride, Brian E. |
| Art Unit | 2665 |
| Examiner Name | Stevens, Roberta A. |
| Attorney Docket Number | 123081-339536 (T01215-0002-US) |

ENCLOSURES (Check all that apply)

- | | | |
|---|--|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): - Issue Fee Transmittal Letter - PTOL- 85B (Fee Transmittal) |
|---|--|---|

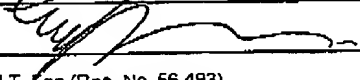
Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | | |
|--------------|---|----------|--------|
| Firm Name | McCarthy Tetraault LLP (Customer No. 27,155) | | |
| Signature |  | | |
| Printed name | Robert H. Nakano | | |
| Date | October 3, 2005 | Reg. No. | 46,498 |

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

| | | | |
|-----------------------|---|------|-----------------|
| Signature |  | | |
| Typed or printed name | Edward T. Fan (Reg. No. 56,493) | Date | October 3, 2005 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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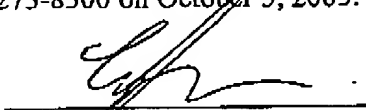
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Signature:

Name:


Edward T. FanDate: October 3, 2005**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: **MCBRIDE, Brian E.**
Serial No.: **09/261,197**
Filed: **March 3, 1999**
Title: **CELL STREAM REPLICATING DEVICE**
Examiner: **SHAND, Roberta A.**
Art Unit: **2665**
Confirmation Number: **7444**
Atty's Docket No: **123081-339536 (T01215-0002-US)**

Commissioner for Patents
United States Patent and Trademark Office
Customer Window, Mail Stop **ISSUE FEE**
Randolph Building
401 Dulany Street
Alexandria, Virginia 22314 U.S.A.

Dear Commissioner:

Issue Fee Transmittal

Transmitted herewith are two (2) payment copies of the completed Transmittal Form PTOL-85B, which authorizes the Patent Office to charge the issue fee of US\$1,400.00 to deposit account no. 150633 of McCarthy Tétrault LLP.

Kindly note that by way of this transmittal of October 3, 2005 to Mail Stop Issue Fee, we are submitting an Amendment After Allowance.

123081-339536
TDO-RED #8292019 v. 1

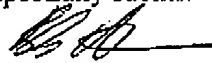
Application No. 09/261,197

- 2 -

In the event that an additional fee is required, the Patent Office is hereby authorized to charge our deposit account no. 150633 of McCarthy Tétrault LLP.

Acknowledgement of the return receipt card included with our correspondence is requested. Should any Patent Office official wish to contact us with respect to the above, the telephone call should be directed to Robert H. Nakano at (416) 601-7852.

Respectfully submitted



October 3, 2005

Date

Robert H. Nakano
(Registration No. 46,498)

McCarthy Tétrault LLP
Box 48, Suite 4700
66 Wellington Street West
Toronto Dominion Bank Tower
Toronto, Ontario M5K 1E6 Canada
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OCT 03 2005

PTO/SB/17 (12-04v)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).**FEE TRANSMITTAL**
For FY 2005☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) \$1,400.00

Complete if Known

| | |
|----------------------|--------------------------------|
| Application Number | 09/261,197 |
| Filing Date | March 3, 1999 |
| First Named Inventor | McBride, Brian E. |
| Examiner Name | Stevens, Roberta |
| Art Unit | 2665 |
| Attorney Docket No. | 123081-339536 (T01215-0002-US) |

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number: 15-0633 Deposit Account Name: McCarthy Tetrauit LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

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FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

| Application Type | FILING FEES | | SEARCH FEES | | EXAMINATION FEES | | Fees Paid (\$) |
|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|----------------|
| | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | |
| Utility | 300 | 150 | 500 | 250 | 200 | 100 | |
| Design | 200 | 100 | 100 | 50 | 130 | 65 | |
| Plant | 200 | 100 | 300 | 150 | 160 | 80 | |
| Reissue | 300 | 150 | 500 | 250 | 600 | 300 | |
| Provisional | 200 | 100 | 0 | 0 | 0 | 0 | |

2. EXCESS CLAIM FEES**Fee Description**

| | Fee (\$) | Small Entity Fee (\$) |
|--|----------|-----------------------|
| Each claim over 20 (including Reissues) | 50 | 25 |
| Each independent claim over 3 (including Reissues) | 200 | 100 |
| Multiple dependent claims | 360 | 180 |

| | | | | |
|---------------------|---------------------|-----------------|----------------------|--------------------------------------|
| Total Claims | Extra Claims | Fee (\$) | Fee Paid (\$) | Multiple Dependent Claims |
| - 20 or HP = _____ | x _____ | = _____ | | Fee (\$) Fee Paid (\$) |

HP = highest number of total claims paid for, if greater than 20.

| | | | |
|----------------------|---------------------|-----------------|----------------------|
| Indep. Claims | Extra Claims | Fee (\$) | Fee Paid (\$) |
| - 3 or HP = _____ | x _____ | = _____ | |

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| | | | | |
|---------------------|---------------------|---|-----------------|----------------------|
| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof | Fee (\$) | Fee Paid (\$) |
| - 100 = _____ | / 50 = _____ | (round up to a whole number) x _____ | = _____ | |


4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Issue Fee

\$1,400.0

SUBMITTED BY

| | | | |
|-------------------|---|--|------------------------|
| Signature |  | Registration No. (Attorney/Agent) 46,498 | Telephone 416-801-7852 |
| Name (Print/Type) | Robert H. Nakano | | Date October 3, 2005 |

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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